IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3303 OF 2007

Shri Ramesh Janu Shelake ..Applicant

Versus

The State of Maharashtra ..Respondent

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Mr.Kuldeep S.Patil for the applicant.

Mr.S.S.Pednekar APP for the Respondent/State.

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**Coram : V.C.Daga,J**

Date : 16.10.2007.

PC

1. Heard learned Counsel for the applicant and the learned APP for the State.

2. The applicant is seeking to challenge the order dated 28.9.2007 passed below Exhibit-1 in Criminal Misc.Application No.992/2007 whereby by one line order the bail application of the applicant has been rejected by the IVth Additional Adhoc Sessions Judge, Raigad at Alibag. It is needless to mention that the Sessions Court is expected to record reasons. It is not open for the Sessions Judge to reject the bail application by one line order. Because such order is open to challenge in the higher Court. The order should always be self explanatory and should not keep the higher court

guessing for reasons. Reasons provide link between conclusion and evidence. That vital link is the safeguard against arbitrariness, passion, prejudice and humour. Reasons are manifestation of mind of the Judge. It is a tool for judging the order impugned. It gives opportunity to the higher court to see whether or not the Judge has proceeded on the relevant material.

3. In the above view of the matter, impugned order is set aside. Application at Exhibit-1 registered as Misc.Application No.992/2007 is restored and the learned Sessions Judge is directed to consider the same as expeditiously as within a period of one week from the date of receipt of the copy of this order. Learned APP makes a statement that for a period of one week, the applicant will not be arrested. It will be open for the applicant to seek appropriate interim relief.

**(V.C.Daga,J)**